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NOV 20 2000

O] 512-457-7000
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PETITIONS OFFICE

November 20, 2000

FAX TRANSMISSION COVER SHEETTo:**Kerry Fries
U.S.P.T.O - Office of Petitions**Telephone:**703 308-0687**Fax Number:**703 308-6916****From:** George R. Meyer
(Reg. No. 35,284)
512-457-7093**Client-Matter Number:** 2101821.991130**Re:****Pages:** - 5 - (including this form) **Originals:** will be mailed will not be mailed**If there is a problem with this transmission, please call (512) 457-7093
Fax Operator/Ext.****Message:**

Enclosed are copies of correspondence related a patent application. After receiving papers that a filing date was not granted, Applicants filed a petition to grant a filing date that was mailed on July 6, 1999. Applicants have not received any further correspondence related to this petition since that time. I contacted Mr. John Guillen (sp?) of the Office of Petitions last week, and he stated that you were assigned the petition. He also recommended that I fax you the related papers. Please call me regarding the status of the petition.

CONFIDENTIALITY NOTICE

This communication is ONLY for the person named above. Unless otherwise indicated, it contains information that is confidential, privileged or exempt from disclosure under applicable law. If you are not the person named above, or responsible for delivering it to that person, be aware that disclosure, copying, distribution or use of this communication is strictly PROHIBITED. If you have received it in error, or are uncertain as to its proper handling, please immediately notify us by collect telephone and mail the original to us at the above address. Thank you.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Alexander G. Parlos, et al. **FAX RECEIVED**
Serial No.: 09/293,536 **NOV 20 2000**
Filing Date: April 15, 1999
Group Art Unit: 2764 **PETITIONS OFFICE**
Examiner: Not Assigned
Title: SYSTEM AND METHOD FOR CONDITION
ASSESSMENT AND END-OF-LIFE PREDICTION

ATTN: Office of Petitions
Honorable Asst. Commissioner
of Patents
Washington, D.C. 20231

CERTIFICATION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail" in an envelope addressed to: Office of Petitions, Assistant Commissioner of Patents, Washington, D.C. 20231 on July 6, 1999.

Rebecca Morrison
Rebecca J. Morrison

EL208669318US

Dear Sir:

**PETITION TO GRANT FILING DATE
OF COMPLETE APPLICATION**

Applicant hereby requests entry of its filing date of April 15, 1999 because pages 260 through 299 were NOT omitted from the specification, but were inadvertently misnumbered. The numbering of the specification should continue sequentially from page 259 through the end of the specification.

Since this application claims priority under 35 U.S.C. § 119(e)(1) to provisional application number 60/081,848,

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filed April 15, 1998, applicant respectfully requests the filing date of April 15, 1999 be granted.

Applicant also requests a refund of the petition fee because the application as it currently exists is complete.

A copy of the Notice of Incomplete Application is enclosed.

Pursuant to 37 C.F.R. § 1.17(i), the Commissioner is hereby authorized to deduct \$130.00 from Deposit Account No. 50-0456, and to charge any additional fees or credit any overpayments to Deposit Account No. 50-0456 of Gray Cary Ware & Freidenrich, LLP.

Respectfully submitted,

GRAY CARY WARE ▲ FREIDENRICH LLP
Attorneys for Applicants

Steven R. Sprinkle
Reg. No. 40,825

Date: July 6, 1999

100 Congress Avenue
Suite 1440
Austin, TX 78701
(512) 457-7025
(512) 457-7070 (facsimile)



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/293,536	04/15/99	PARLOS	A DRAS1100-1

0242/0519

STEVEN R SPRINKLE
 GRAY CARY WARE & FREIDENRICH LLP
 SUITE 1440
 100 CONGRESS AVENUE
 AUSTIN TX 78701

NOT ASSIGNED

2764

DATE MAILED:

05/19/99

NOTICE OF INCOMPLETE APPLICATION

A filing date has NOT been assigned to the above identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items, unless otherwise indicated, must be submitted within TWO MONTHS of the date of this Notice, or proceedings on the application will be terminated (37 CFR 1.53 (e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the items required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.1 7(l)). If the petition states that the application is complete, a request for refund of the petition fee may be included in the petition.

1. The specification (description and claims):

- a. is missing.
- b. does not include a written description of the invention.
- c. does not include at least one claim as prescribed by 35 U.S.C. 112.

A complete specification (including at least one claim in a nonprovisional application) as prescribed by 35 U.S.C. 112 is required.

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PETITIONS OFFICE

2. The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented."

Applicant should reconsider whether drawings are necessary under 35 U. S. C. 113 (first sentence).

3. OTHER: _____

Additional observations on the above-identified application papers:

1. Pages 260-299 of the specification are missing.
 2. Figures _____ described in the specification are missing.

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

Enclosed:

- "General Information Concerning Patents." See page _____.
- "Notice to File Missing Parts of Application," Form PTO-1532.
- "Checklist for Patent Applications."
- Other: _____

A copy of this notice MUST be returned with the reply.


 Customer Service Center

Initial Patent Examination Division (703) 308-1202

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UNITED STATES DEPARTMENT OF COMMERCE
 Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/293,536	04/15/99	PARLOS	A ORAS1100-1

0242/0519

STEVEN R SPRINKLE
 GRAY CARY WARE & FREIDENRICH LLP
 SUITE 1440
 100 CONGRESS AVENUE
 AUSTIN TX 78701

NOT ASSIGNED

2764

DATE MAILED:

05/19/99

NOTICE TO FILE MISSING PARTS OF APPLICATION

No Filing Date

(Enclosure to Form PTO-1123)

The required items noted below SHOULD be filed along with any items required on the "Notice of Incomplete Application." The filing date of this application will be the date of receipt of the items required on the "Notice of Incomplete Application." The items noted below must be filed no later than TWO MONTHS FROM THE FILING DATE ACCORDED THIS APPLICATION. If any of items 1 and 3 through 5 below are submitted after the filing date accorded this application, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form and on the "Notice of Incomplete Application" are filed together, the total amount owed by applicant as a small entity (statement filed) non-small entity is \$ 65.00.

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1. The statutory basic filing fee is:
 missing or unexecuted.
 insufficient.
 Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming status (37 CFR 1.27).

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2. Additional claim fees of
 \$ _____ for _____ independent claims over 3.
 \$ _____ for _____ dependent claims over 20.
 \$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:
 is missing or unexecuted.
 does not cover the items required on "Notice of Incomplete Application."
 does not identify the application to which it applies.
 does not include the post office address and the city and state or foreign country of applicant's residence.
 An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and filing date is required.

4. The signature(s) to the oath or declaration is/are by a person other than the inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
 A properly signed oath or declaration in compliance with 37 CFR 1.63, referring to the above Application Number and filing date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and filing date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
 7. The application does not comply with the Sequence Rules.
 See attached "Notice To Comply with Sequence Rules 37 CFR 1.821 - 1.825."
 8. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the reply.

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